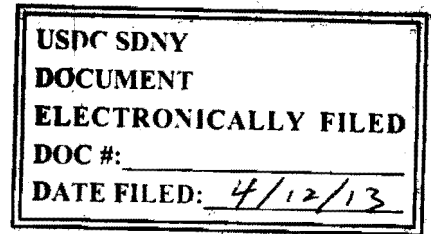


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



-----X
CHESAPEAKE ENERGY CORPORATION,

Plaintiff,

-v-

THE BANK OF NEW YORK MELLON TRUST
COMPANY, N.A.,

Defendant.
-----X

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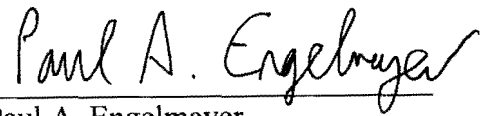
ORDER

PAUL A. ENGELMAYER, District Judge:

On April 11, 2013, the Court held a conference to address several issues relating to discovery which the parties had identified. For the reasons stated on the record at that conference, the discovery schedule is modified as follows: Expert reports are due by April 15, 2013; fact depositions are to be completed by April 19, 2013; and expert depositions are to be completed by April 20, 2013. The parties' pretrial submissions are due on April 21, 2013.

In addition, Chesapeake is directed to submit to the Court for *in camera* review any written communications between February 21, 2013, and March 8, 2013, responsive to the subject matter of Chesapeake's privilege waiver, to which any of Michael Telle, Erica Hogan, or Clay Brett of Bracewell & Giuliani LLP were parties. Both parties are invited to submit a brief letter memorandum addressing the legal principles that should guide the Court's review. Such memoranda are due by 11:59 p.m. on April 12, 2013.

SO ORDERED.

A handwritten signature in black ink, reading "Paul A. Engelmayer". The signature is written in a cursive style with a horizontal line underneath the name.

Paul A. Engelmayer
United States District Judge

Dated: April 11, 2013
New York, New York